

REMARKS

Office Action

5 The Office Action rejected claims 9-10, 13, and 15-16 under 35 U.S.C. §102(b) as being anticipated by Saito et al.

The Office action indicated that claims 11-12, 14, and 21 were objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form.

Claims

10 Claims 9-21 have been canceled and new claims 22-34 have been added by this Amendment. New claims 22-34 have been added to better encompass the full scope and breadth of the invention notwithstanding the Applicants belief that the claims would have been allowable as originally filed. Accordingly, Applicants assert that no claims have been narrowed within the meaning of Festo.

15 New claims 22-34 are similar to old claims 9-21. However, new independent claims 22 and 30 now recite that the tear bar is held in a fixed position.

The present invention comprises a tear bar that is held in a substantially fixed position. Saito et al. teaches away from a fixed tear bar. Saito et al. appears to disclose a ticket-issuing machine with a blade 16. However, as seen in figure 2, blade 16 is caused to move so that it
20 presses against the continuous form and causes the continuous form to burst, thereby separating pieces of the continuous form (see also column 8, lines 48-54). Therefore, Saito et al. teaches away from the use of a fixed tear bar. Since Saito et al. fails to disclose, teach, or suggest a tear bar that is held in a fixed position, new claims 22-34 are patentable over this reference.

In amending the claims, specification and the drawings, care has been taken to avoid introduction of any new matter. Furthermore, it is believed that no additional or new search will be required by the Examiner relative to the amended and new claims since the subject matter of these claims essentially corresponds to that presented in previously searched claims.

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CONCLUSION

For all of the above reasons, the applicant submits that the present application is in condition for allowance. If the examiner has any questions regarding the application or this response, the examiner is encouraged to call the applicant's attorney, Ian F. Burns, at (775) 826-6160.

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Respectfully submitted,

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